

PTO-1390

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY DOCKET NUMBER
89058U.S. APPLICATION NO. *(if known, see 37 CFR 1.5)*
Not Yet Assigned

101589689

INTERNATIONAL APPLICATION NO.
PCT/JP2005/013366INTERNATIONAL FILING DATE
21 July 2005PRIORITY DATE CLAIMED
22 July 2004TITLE OF INVENTION
APPARATUS, SYSTEM AND METHOD FOR OPTICAL SIGNAL TRANSMISSIONAPPLICANT(S) FOR DO/EO/US
Kikushima et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. Please do not delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A Preliminary Amendment.
14. An Application Data Sheet under 37 CFR 1.76. **(3 pages)**
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information: **copy title page of WIPO publication WO 2006/009197 A1; International Search Report (1 page); and General Authorization for Extension of Time.**

CERTIFICATE OF MAILING BY "EXPRESS MAIL""Express Mail" Mailing Label Number EV 769060056 USDate of Deposit August 17, 2006

I hereby certify that this paper or fee is being deposited with sufficient postage utilizing the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ROGER V. SEWELL
(Typed or printed name of person mailing)
Roger V. Sewell
(Signature of person mailing),

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) Not Yet Assigned	INTERNATIONAL APPLICATION NO. PCT/JP2005/013366	ATTORNEY DOCKET NUMBER 89058		
The following fees are submitted:		Calculations		
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300.00		\$ 300.00		
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the Written Opinion prepared by ISA/US or the International Preliminary Examination Report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 All other situations \$200.00		\$ 200.00		
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the Written Opinion of the ISA/US or the International Preliminary Examination Report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority \$100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$400.00 All other situations \$500.00		\$ 400.00		
TOTAL OF 21, 22 and 23 =		\$ 900.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to whole number)		RATE
65 - 100 = 0	/ 50 = 0.00	0	x	\$250.00
				\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$		
CLAIMS	NUMBER FILED	NUMBER EXTRA		RATE
Total claims	34	- 20 = 14	x	\$50.00
Independent Claims	6	- 3 = 3	x	\$200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				\$360.00
				\$
TOTAL OF ABOVE CALCULATIONS =		\$ 2,200.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by half.		\$		
		SUBTOTAL =	\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		\$ 40.00		
		TOTAL NATIONAL FEE =	\$ 2,240.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.		\$		
		TOTAL FEES ENCLOSED =	\$ 2,240.00	
		Amount to be refunded:	\$	
		Amount to be charged:	\$	
a. <input type="checkbox"/>	A check in the amount of \$____ to cover the above fees is enclosed.			
b. <input checked="" type="checkbox"/>	Please charge my Deposit Account No. 06-1135 in the amount of \$ 2,240.00 to cover the above fees. A duplicate copy of this sheet is enclosed. (Trans. Nos. 31089; 31090; 31091; 31092 and 31093).			
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO:				
FITCH, EVEN, TABIN & FLANNERY 120 South LaSalle Street, Suite 1600 Chicago, IL 60603-3406 U.S.A.			SIGNATURE	<i>Kenneth H. Samples</i>
Telephone: (312) 577-7000 Facsimile: (312) 577-7007			NAME	Kenneth H. Samples
			REGISTRATION NUMBER	25,747

10/589689
IAP6 Rec'd PCT/PTO 17 AUG 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re International Application of

Koji KIKUSHIMA, Satoshi IKEDA and Akihiro MORITA

International Application No.: PCT/JP2005/013366

International filing date: July 21, 2005

For: OPTICAL SIGNAL TRANSMISSION APPARATUS, SYSTEM AND METHOD

VERIFICATION OF TRANSLATION

Honorable Commissioner of Patent and Trademark

Washington, D.C. 20231

Sir:

Mitsumasa IHARA residing at c/o TANI & ABE, No. 6-20, Akasaka 2-chome, Minato-ku, Tokyo 107-0052, Japan, declares:

(1) that he knows well both the Japanese and English languages;

(2) that he translated the claims of the above-identified International Application from Japanese to English;

(3) that the attached English translation is a true and correct translation of the claims, specification and drawings of the above-identified International Application to the best of his knowledge and belief; and

(4) that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such false statements may jeopardize the validity of the application or any patent issuing thereon.

20 JULY 2006

Date

Mitsumasa IHARA